

FILED 11 JAN 05 1522USDC-ORE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

OWEN JAMES WALLULATUM,

Plaintiff, Civil No. 08-747-AA

v. ORDER

JASON PATTERSON, et al.,

Defendants.

AIKEN, District Judge.

There is no constitutional right to counsel in a civil case. United States v. 30.64 Acres of Land, 795 F.2d 796, 801 (9th Cir. 1986). Pursuant to 28 U.S.C. § 1915(d), this court has discretion to request volunteer counsel for indigent plaintiffs in exceptional circumstances, but the court has no power to make a mandatory appointment. Mallard v. U.S. Dist. Court of Iowa, 490 U.S. 296, 301-08 (1989).

In this case, the court has contacted six attorneys from a panel of volunteer lawyers regarding representation of plaintiff on a volunteer basis. For various reasons all of the attorneys have declined to represent plaintiff.

Where after review of the case, volunteer lawyer(s) decline to accept plaintiff's case, plaintiff must proceed with the case *pro se*.

This case was filed on June 20, 2008. Dispositive motions have been filed and ruled on. The case is ripe for trial on the remaining issues.

The Clerk of the Court is directed to set a trial date.

IT IS SO ORDERED

DATED this 5th day of January, 2011.

Michael R. Hogan, Jr.

Ann Aiken
United States District Judge